

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**LOWER LOVE S.S., INC., and RAMEZ  
DAWOD,**

**Plaintiffs,**

**v.**

**1:06-cv-93**

**GINSENG UP CORP. and MICHAEL A.  
SIMMONDS CO.,**

**Defendants.**

**TO: Pamela L. Colon, Esq.  
John Sopuch, Esq.  
Britain H. Bryant, Esq.**

**ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL**

THIS MATTER came before the Court upon Plaintiffs' Motion to Compel Answers to Interrogatories and Demand For Production (Docket No. 84). The time for filing a response has expired.

The Court notes that the parties failed to submit a joint stipulation pursuant LRCi 37.2(a). Counsel for Plaintiff represents that she did attempt to schedule a meet and confer without response from counsel for Defendant Ginseng Up Corp. Moreover, the Court takes notice of the fact that the discovery deadline is August 31, 2009. Thus, in the interest of judicial economy, the Court will rule upon the motion which could be considered filed

consistent with LRCi 37.2(b). However, all future discovery motions that fail to comply with the requirements of LRCi 37.2(a) will not be considered pursuant to LRCi 37.2(c).

Having reviewed the said motion and memorandum of law in support thereof, the Court finds that Defendant Ginseng Up Corp. has failed to provide responses to discovery requests as set forth in the motion and that Plaintiffs are entitled to such responses. The Court further finds that by such failure said Defendant has waived any objections it may have had to the said discovery.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiffs' Motion to Compel Answers to Interrogatories and Demand For Production (Docket No. 84) is **GRANTED**.
2. Defendant Ginseng Up Corp. shall, within ten (10) days from the date of entry of this order, serve upon counsel for Plaintiffs its responses to all outstanding discovery requests by Plaintiffs.
3. Defendant Ginseng Up Corp. has waived any objections it may have or may have had to the discovery at issue.

ENTER:

Dated: August 4, 2009

/s/ George W. Cannon, Jr.

GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE